

REMARKS

This amendment is responsive to the non-final Office Action issued December 31, 2009. Applicants appreciate the Examiner's allowance of claims 3-5, 7-19, and 21, and 22 and the Examiner's thorough examination. Reconsideration and allowance of claim 20 is requested.

The Office Action

Claim 20 is rejected under 35 U.S.C. § 102(b) as anticipated by newly cited reference referred to by the Office as Thakor.

**The Claims Distinguish Patentably
Over the References of Record**

Claim 20 has also been amended to call for a processor to generate an alert on a user interface device in response to the likelihood falling below the predetermined confidence level. Thakor does not teach or fairly suggest this limitation. This limitation was previously introduced in the other independent claims and therefore would not require further search or consideration, since a new search would not uncover anything other than the references already cited.

Accordingly, it is submitted that claim 20 distinguishes patentably and unobviously over the references of record.

CONCLUSION

For the reasons set forth above, it is submitted that claims 3-5 and 7-22 distinguish patentably over the references of record and meet all statutory requirements. An early allowance of all claims is requested.

In the event the Examiner considers personal contact advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,

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